

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petition of Cablevision Lightpath, Inc. for	)	
Forbearance under 47 U.S.C. § 160(c) from Title	)	WC Docket No. 07-12
II and Applicable <i>Computer Inquiry</i> Rules with	)	
Respect to Its Broadband Services	)	

**ORDER**

**Adopted: January 7, 2008**

**Released: January 7, 2008**

By the Deputy Chief, Wireline Competition Bureau:

1. In this Order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),<sup>1</sup> we extend by 90 days the date by which the petition requesting forbearance, filed by Cablevision Lightpath, Inc. (Lightpath),<sup>2</sup> shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.<sup>3</sup>

2. On January 16, 2007, Lightpath filed a petition requesting that the Commission forbear from applying Title II requirements and applicable *Computer Inquiry* rules to broadband services it offers or may offer.<sup>4</sup>

3. Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under section 10(a) within one year after the Commission receives it, unless the Commission extends the one-year period.<sup>5</sup> The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).<sup>6</sup>

4. The petition under review raises significant questions regarding whether forbearance from application of Title II of the Act and the Commission's *Computer Inquiry* rules to Lightpath's broadband services meets the statutory requirements set forth in section 10(a). The Bureau thus finds that a 90-day extension is warranted under section 10(c).

5. Accordingly, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the

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<sup>1</sup> 47 U.S.C. § 160(c).

<sup>2</sup> See Petition of Cablevision Lightpath, Inc. for Forbearance under 47 U.S.C. § 160(c) from Title II and Applicable *Computer Inquiry* Rules with Respect to Its Broadband Services, WC Docket No. 07-12 (filed Jan. 16, 2007) (Lightpath Petition).

<sup>3</sup> 47 U.S.C. § 160(a).

<sup>4</sup> Lightpath Petition at 1.

<sup>5</sup> 47 U.S.C. § 160(c).

<sup>6</sup> See, e.g., *Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, as amended*, CC Docket No. 98-65, Order, 14 FCC Rcd 6415 (Com. Car. Bur. 1999).

Commission's rules, 47 C.F.R. §§ 0.91, 0.291,<sup>7</sup> the date on which Lightpath's forbearance petition shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, is extended to April 15, 2008.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach  
Deputy Chief  
Wireline Competition Bureau

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<sup>7</sup> See 47 U.S.C. § 155(c).